



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

April 27, 2020

The Honorable Jesse M. Furman
United States District Court
40 Foley Square
New York, NY 10007

Re: United States v. Kenny Liu, 19 Cr. 039 (JMF)

Dear Judge Furman:

The parties writes to respectfully to provide a status update as directed by the Court's order dated March 25, 2020 (Dkt. No. 192). The parties have reached a tentative agreement on a misdemeanor plea to resolve the above-captioned matter and are working to finalize the paperwork associated with the plea. The parties anticipate completing this process and being able to provide the Court with an update on or before May 4, 2020. Therefore, the parties respectfully request until May 4, 2020, to provide an update to the Court.

Accordingly, the Government respectfully requests that time be excluded under the Speedy Trial Act through the next scheduled conference, because the "ends of justice served by the granting of such continuance outweigh the best interests of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A). The Government consulted with defense counsel, who does not object to the exclusion of time.

The Court will hold a telephone conference with counsel on April 30, 2020, at 12:00 p.m. to address the timing and handling of the Defendant's proposed change-of-plea hearing. (The Defendant need not participate. See Fed. R. Crim. P. 43(b)(3).) Counsel should be prepared to address the idea of having the Probation Department begin preparation of the Presentence Investigative Report immediately - on the theory that the Defendant could enter a guilty plea at any time between now and the date of sentencing with no delay in the overall schedule. To access the conference, counsel should call 888-363-4749 and use access code 5421540#. (Members of the press and public may call the same number, but will not be permitted to speak during the conference.) Counsel should be sure to consult the Court's Emergency Individual Rules and Practices, available on the Court's website, and comply with the rules regarding conferences. SO ORDERED.

Very truly yours,

GEOFFREY S. BERMAN
United States Attorney

by: /s/Elizabeth A. Espinosa
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April 28, 2020